



State of Utah

Department of
Natural ResourcesMICHAEL R. STYLER
Executive DirectorDivision of
Oil, Gas & MiningJOHN R. BAZA
Division DirectorJON M. HUNTSMAN, JR.
GovernorGARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:

OGM	Pete Hess	Environmental Scientist III
Company	Guy Davis	Environmental Scientist

Inspection Report

Permit Number:	C0150019
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, August 11, 2009
Start Date/Time:	8/11/2009 7:53:00 AM
End Date/Time:	8/11/2009 12:20:00 PM
Last Inspection:	Monday, June 15, 2009

Inspector: Pete Hess, Environmental Scientist IIIWeather: Clear, cool; 70's F.InspectionID Report Number: 2089Accepted by: jhelfric
8/20/2009Permittee: **PACIFICORP**Operator: **ENERGY WEST MINING CO**Site: **COTTONWOOD/ WILBERG**Address: **PO BOX 310, HUNTINGTON UT 84528**County: **EMERY**Permit Type: **PERMANENT COAL PROGRAM**Permit Status: **ACTIVE**

Current Acreages

4,128.43	Total Permitted
48.43	Total Disturbed
13.81	Phase I
13.81	Phase II
13.81	Phase III

Mineral Ownership

- ☒ Federal
☐ State
☐ County
☒ Fee
☐ Other

Types of Operations

- ☒ Underground
☐ Surface
☐ Loadout
☐ Processing
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The first quarter 2009 surface and ground water monitoring data for the Cottonwood / Wilberg Mine permit area has been uploaded into the DOGM permanent data base. The Permittee continues to meet this Special Condition of the current State issued permit for this site.

The site remains in temporary cessation status.

Inspector's Signature:

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

Date

Tuesday, August 11, 2009

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The second quarter 2009 impoundment inspections for the North and South ponds and the active waste rock site sediment pond were completed on June 24, 2009. John Christensen, P.E., and Rick Cullum, Utah registered land surveyor completed the inspections. There were no signs of instability noted by the Permittee's representatives for any of the three impounding structures during the 6/24 inspection. All ponds were noted as having 0.19 acre-feet OR MORE of sediment storage capacity remaining below the 60% level. None of the ponds contained a water volume this day. Mr. Christensen completed a P.E. certification of the 2nd quarter report on July 7, 2009. All reports were forwarded to the Division on August 6, 2009. The monthly inspections of the North and South sediment ponds required under 30 CFR 77.216-3 (MSHA variance granted from every 7 days to every 30 days) are current with the last inspection having been completed by Mr. Davis on July 13, 2009. This same information for the North and South ponds was also submitted to the MSHA District 9 Manager / Denver, Colorado.

4.d Hydrologic Balance: Water Monitoring

A review of the UPDES discharge monitoring reports for the permitted outfalls at Cottonwood / Wilberg for the month of June 2009 indicated that no effluent parameters were exceeded. Outfall 001, Mine Quantity to Cottonwood Creek is the only site reporting data for first quarter 2009.

5. Explosives

There is no explosive or detonator storage occurring at the Cottonwood / Wilberg Mine site.

7. Coal Mine Waste, Refuse Piles, Impoundments

The Permittee's qualified representatives completed the second quarter 2009 waste rock pile inspection for the active waste rock site on June 24, 2009. This site no longer receives coarse material, but sediment cleanout material from Trail Mountain Mine as well as the three impoundments associated with the Cottonwood / Wilberg Mine is placed here in the depression void to dry prior to dispersal over the active lift. This disposal area remains unchanged since the first quarter 2009 complete inspection conducted by this individual. There are no indications that spontaneous combustion is occurring within the pile; noncoal waste is not present. The Permittee needs to re-install the MSHA facility identification sign at this site. The Permittee continues to inspect the old waste rock facility; Mr. John Christensen certified the latest inspection report for that facility on July 29, 2009. The Division granted a Phase II and Phase III bond release for the six reclaimed waste disposal cells at this facility on July 22, 2009.

9. Protection of Fish, Wildlife and Related Environmental Issues

The Permittee has contacted the USFS Manti-LaSal National Forest relative to a clearance to spray tamarisk trees within their disturbed area perimeter for the Cottonwood and Trail Mountain Mine sites. This process is pending at this time. The State of Utah has classified tamarisk as a noxious weed.

13. Revegetation

The Permittee is preparing a Phase III bond release application for the Cottonwood fan portal reclaim area. The 2nd year vegetation monitoring requirement for the area has been completed by Dr. Patrick Collins of Mt. Nebo Scientific. It appears that the vegetative growth in this area is very good. According to Mr. Davis, (based upon the Collins report), the vegetation in the reclaimed area exceeds the density and diversity standard established by the reference area.

15. Cessation of Operations

There has been no change in the temporary cessation status of this site.

21. Bonding and Insurance

The Permittee's current general liability insurance coverage for the Cottonwood / Wilberg Mine remains in effect through August 28, 2009. Coverage amounts for general aggregate and each occurrence are adequate; coverage for damage incurred from the use of explosives and subsidence is covered. The cancellation / notification of the Division clause is adequate, meeting the requirement of the R645 Coal Mining Rule.